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7 **UNITED STATES DISTRICT COURT**  
8 **DISTRICT OF NEVADA**  
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10 DONALD E. MITCHELL, JR.,  
11 Plaintiff(s),

12 vs.

13 NEVADA DEPARTMENT OF  
14 CORRECTIONS, et al.,

15 Defendant(s).

Case No. 2:16-cv-00037-RFB-NJK

ORDER

(Docket No. 60)

16 Pending before the Court is Plaintiff's motion for reconsideration of the order denying his  
17 discovery motions. Docket No. 60. Defendants filed a response in opposition. Docket No. 64. No  
18 reply was filed. Motions for reconsideration are disfavored. Local Rule 59-1(b). The Local Rules  
19 provide the applicable standards in addressing whether the Court should reconsider an interlocutory  
20 order, indicating that reconsideration may be appropriate if (1) there is newly discovered evidence that  
21 was not available when the original motion or response was filed, (2) the Court committed clear error  
22 or the initial decision was manifestly unjust, or (3) there is an intervening change in controlling law.  
23 Local Rule 59-1(a).<sup>1</sup>

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26 <sup>1</sup> "The Federal Rules of Civil Procedure do not contain a provision governing the review of  
27 interlocutory orders." *Philips v. C.R. Bard, Inc.*, 290 F.R.D. 615, 665 (D. Nev. 2013). Defendants quote  
28 Rule 60 of the Federal Rules of Civil Procedure, which establishes the standards for seeking relief from a  
final order or judgment. Docket No. 64 at 3. As Plaintiff seeks reconsideration of an interlocutory order,  
the Court applies Local Rule 59-1(a).

1 Having failed to meet these standards, Plaintiff's motion for reconsideration is **DENIED**.

2 IT IS SO ORDERED.

3 DATED: October 20, 2017

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NANCY J. KOPPE  
United States Magistrate Judge